

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT
DISTRICT OF MASS.

UNITED STATES

CR #04-1685-CBS

v.

CARLOS COLON-RIVERA A/K/A/ EDGAR HOFFENS

MOTION FOR INTERIM PAYMENT

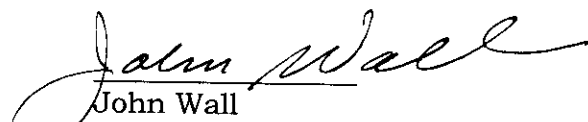
Now comes Carlos Colon-Rivera (true name Edgar Hoffens), through his court-appointed Counsel John Wall and moves for interim payment through June 30, 2004 for the following reasons:

- a) On May 3, 2004, twenty-four individuals were arrested, searches were made of eleven homes and businesses in various Massachusetts and New Hampshire communities and quantities of cocaine and cash were seized; all at the culmination of a fifteen month drug investigation by federal, state and local authorities.
- b) Undersigned counsel was court-appointed on 5/03/04 and has attended an Initial Appearance at Worcester on 5/03/04; attended a Probable Cause/Detention Hearing in Worcester on 5/07/04 which was continued because of the volume of Discovery to be reviewed and digested; attended a June 6, 2004 Probable Cause/Detention Hearing at Boston which was continued because of the volume of recently received documents; and attended a June 23, 2004 Probable Cause/Detention Hearing in Boston where the case agent testified and was crossed examined by counsel; whereupon, after argument by defense counsel and the prosecutor, Mr. Colon-Rivera (true name Edgar Hoffens) was admitted to bail over the objection of the Probation Department and the Prosecutor.
- c) During the months of May and June 2004 undersigned counsel has reviewed 26 separate Applications and Affidavits (1617 pages) seeking Court authorization for interception of wire communications; five volumes of agents notes (404 pages); five applications and affidavits seeking authorization for monitoring Devices for automobiles (112 pages); and "DEA 6" surveillance reports (47 pages).

- d) Interviews were conducted with Mr. Colon-Rivera (Edgar Hoffens), his wife, his employer, his in-laws (and sometime employers) and correspondence was sent to them requesting written documentation of Mr. Colon-Rivera's past employment and future of employment available to him.
- e) Review was done of Sentencing Guidelines and initial analyses thereof were made (as much as could be determined with incomplete current information particularly as to applicable drug quantities), and a report in writing was made to the client regarding those analyses with copies of tentatively-applicable Guidelines sections.
- f) On information from the prosecutor there are thousands of telephone calls whose contents must be translated and furnished to counsel (through CD Rom or otherwise) which must then be digested and analyzed.
- g) No indictment had yet been returned.

WHEREFORE, authorization for interim payment through June 30, 2004 is sought

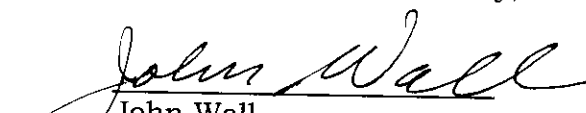
Respectfully submitted,
Carlos Colon-Rivera (Edgar Hoffens)
By his attorney,


John Wall
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One Commercial Wharf West
Boston, MA 02110
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(Fax): 617 742-8604

Dated: Monday, July 19, 2004

CERTIFICATE OF SERVICE

I, John Wall, hereby certify that on July 19, 2004, I served a copy by mail of the foregoing affidavit to Judith A. Litwin, C.J.A. Analyst, Office of the Clerk, Suite 2300, U.S. District Court, District of Massachusetts, One Courthouse Way, Boston, MA 02210;


John Wall